



Unified Command And SEMS: A Guide for State & Local Government

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Purpose And Scope

This document clarifies how local, state, and federal agencies can successfully manage emergency incidents through the application of unified command at the field level of the Standardized Emergency Management System (SEMS).

SEMS is mandated for state agencies, voluntary for local governments (but necessary for reimbursement of response-related personnel costs), and not required for federal agencies.

General Concept

The Response Structure

State and local agencies use the Incident Command System (ICS) as the structure to manage emergency incidents at the field level of SEMS. ICS incorporates the concept of unified command when more than one agency is responsible for the emergency incident. This system allows agencies to exercise their responsibilities without compromising jurisdictional authorities.

There are four elements to consider when applying unified command:

A. Policies, Objectives, Strategies

The responsibility to set joint policies, objectives, and strategies for an incident belongs to the various jurisdictional and agency administrators who set policy and are accountable to their agencies. This activity is done in advance of tactical operations and may be coordinated from a location other than where the field response is taking place.

B. Representatives

The unified command organization consists of the on-scene senior representatives (agency incident commanders) from the various agencies with responsibility for the incident.

C. Resources

Unified command resources are the personnel and equipment supplied by the jurisdictions and agencies that have responsibility for the incident or by cooperating agencies.

D. Operations

Unified command resources stay under the administrative and policy control of their agencies; however, operationally, resources are deployed by a single Operations Sections Chief based on the requirements of the consolidated action plan. Consolidated action plans identify objectives and strategy determinations for the incident made by the unified command. The incident objectives must adequately reflect the needs of all the jurisdictional agencies.

Unified command represents an important element in increasing the effectiveness of response to multi-jurisdictional or multi-agency incidents. As incidents become more complex and involve more agencies, the need for unified command is increased.

Interagency Agreements

Agencies that will be partners in a unified command situation should, whenever possible, establish agreements in advance of emergency incidents that identify jurisdictional and functional responsibilities and delineate the elements of the unified command structure. In addition, agencies should take every opportunity to exercise the provisions of these agreements through periodic training and simulation drills.

SEMS Applied—Coordinating Diverse Authorities

A cornerstone of SEMS is the application of ICS in emergency incident management at the field level. Under this system, unified command must be used when emergency incidents involve multiple agencies and/or jurisdictions. The basic precept of unified command is that all agencies with jurisdictional responsibility for the incident will manage an incident by establishing a common set of incident objectives and strategies. This is accomplished without losing or abdicating agency authority, autonomy, responsibility or accountability. Therefore, in order for state and local agencies to be consistent with SEMS, the unified command must include all the individual authorities with response jurisdiction over the incident.

Any process used by the unified command must permit the command team to develop a consolidated action plan that adequately reflects the jurisdictional needs of the agencies with responsibility for the incident. Unified command is based on the presumption that all responsible agencies will cooperate in a collective effort to mitigate an incident.

Recommendations For “Best Practices”

When addressing pre-existing mandates within SEMS, the following guidelines should be applied.

1) ***SEMS must be viewed as a structural system only, not a pre-emption authority.***

SEMS is an emergency response management structure designed to focus resources and effort in the most efficient fashion. It is an “overlay” to pre-existing mandates in statute and regulation. It does not re-direct or preempt these authorities.

2) ***Jurisdictional authorities must not be compromised.***

A basic precept of unified command is that jurisdictional authorities responsible for the incident are never excluded from the command structure. The legal requirements for federal, state, and local agencies must be taken into account when developing a consolidated action plan. Exactly how those jurisdictional authorities function in the unified command is a matter to be determined according to the details of the incident and the parties involved.

3) ***Jurisdictional mandates must be applied within SEMS in a flexible manner.***

SEMS is meant to be flexible and applicable to many disciplines involving many agencies. There will almost always be overlapping authorities subject to interpretation. Federal, state, and local agencies must coordinate with each other in applying and exercising their respective authorities within the unified command. Individual agencies do not exercise jurisdiction or authority that exceeds their legal limits or usurp the authority of another agency—there is no “vote” inside the unified command. It is incumbent upon the agencies involved to cooperate in order to allow for a successful resolution to a complicated emergency response organizational issue. Often, these issues can be dealt with through pre-planning.

4) ***Pre-planning and training must be continuous.***

It is essential to the success of efficient emergency management that jurisdictions and functional agencies pre-establish the unified command structure and conduct frequent drills to exercise the system.

5) ***Cooperation and consensus must be a priority.***

It is impossible to implement unified command unless the responsible agencies have agreed to participate in the process. Once this has been

achieved, incident management goals, objectives and strategies are established through a consensus process.

6) *Establishment of the unified command structure must be expedited.*

Implement unified command promptly when it is needed in a multi-jurisdictional or multi-agency incident. It is essential to begin joint planning as early as possible, especially on those incidents where there may be conflicting priorities based on agency responsibilities. Initially the participants should: identify statutory authorities for all agencies; determine a clear functional structure for the incident; coordinate initial activities; and open clear communication channels at all levels of the organization. Conversely, individual agencies in the unified command should not exit the response structure until their jurisdictional responsibilities have been resolved and an orderly transition has been orchestrated.

7) *Proper integration into the ICS structure is essential.*

A member of the unified command is very different than an agency representative. The unified command consists of agencies with direct jurisdictional responsibility for the incident. Agency representatives are individuals assigned to an incident from assisting or cooperating agencies. Agency representatives are personnel other than those on direct tactical assignments or those involved in a unified command.

Summary

SEMS provides the structure for managing the response to multi-agency and multi-jurisdiction emergencies in California and facilitates coordination among all responding agencies. Within SEMS, ICS provides a flexible structure at the field level for coordination of response activities which is geared to the needs of a specific incident. Unified command allows agencies that have responsibility for an incident to meet their statutory requirements through a coordinated process involving diverse jurisdictional authorities.

GENERAL AUTHORITIES AND DEFINITIONS

1. Pursuant to Government Code Section 8607(d) all state agencies are required to use the Standardized Emergency Management System (SEMS) to coordinate multiple jurisdiction or multiple agency emergency and disaster operations.
2. Government Code Section 8607(e) requires a local agency to use SEMS in order to be eligible for reimbursement of personnel-related response costs.
3. Under CCR, Title 19, Section 2403 there are five levels of the SEMS organization. The field response level “commands emergency response personnel and resources” to carry out “tactical decisions and activities in direct response to an incident or threat.”
4. Under CCR, Title 19, Section 2405 emergency response agencies operating at the field response level shall use the Incident Command System, incorporating the functions, principles and components of ICS.
5. Under CCR, Title 19, Section 2402 emergency response agencies include “any organization responding to an emergency....”
6. Pursuant to CCR, Title 19, Section 2407(c), “communications and coordination shall be established between a local government EOC, when activated, and any state or local emergency response agency having jurisdiction at an incident occurring within a local government’s boundaries.”
7. Pursuant to CCR, Title 19, Section 2407(d), local government is to “use multi-agency or inter-agency coordination to facilitate decisions for overall local government level emergency response activities.”
8. Pursuant to Government Code Section 8616, during a state of emergency, “outside aid” to a local government shall be rendered in accordance with approved emergency plans.
9. Pursuant to Government Code Section 8618, unless otherwise expressly provided by the parties, the responsible local official in whose jurisdiction an incident requiring mutual aid has occurred “shall remain in charge at such incident, including the direction of personnel and equipment provided him through mutual aid.”
10. CCR, Title 19, Section 2405(a)(3)(C), defines the Unified Command structure as, “...a unified team effort which allows all agencies with responsibility for the incident, either geographical or functional, to manage an incident by establishing a common set of incident objectives and strategies. This is accomplished without losing or abdicating agency authority, autonomy, responsibility, or accountability.”
11. The state has broad authority under the Emergency Services Act to address any local need in a declared emergency if the conditions warrant. Government Code Sec. 8614 states:
 - (a) Each department, division, bureau, board, commission, officer, and employee of each political subdivision of the state shall render all possible assistance to the Governor and to the

Director of the Office of Emergency Services in carrying out the provisions of this chapter.

- (b) The emergency power which may be vested in a local public official during a state of war emergency or a state of emergency shall be subject or subordinate to the powers herein vested in the Governor when exercised by the Governor.
 - (c) Ordinances, orders, and regulations of a political subdivision shall continue in effect during a state of war emergency or a state of emergency except as to any provision suspended or superseded by an order of regulation issued by the Governor.
12. CCR, Title 19, Sec. 2405(a)(3)(D), defines consolidated action plans as ones that, "...identify objectives and strategy determinations made by the Incident Commander for the incident based upon the requirements of the jurisdiction. In the case of a unified command, the incident objectives must adequately reflect the policy and needs of all the jurisdictional agencies. The action plan for the incident covers the tactical and support activities required for the operational period."
13. "Jurisdiction" describes a [legal] authority or responsibility, and can also mean a geographical area, e.g., a city, county, state, federal lands, etc. (SEMS Approved Course of Instruction Field Course, Module 13—Unified Command—August 1995 Instructor Guide.)
14. "Agency" is used to describe organizations which have a legal and functional responsibility at an incident. These may be from the same jurisdiction, other jurisdictions, or represent functional governmental authorities which do not necessarily have a geographical influence. They can also represent industrial and commercial organizations from the private sector. Examples could include the coroners office, the FAA, the XYZ chemical corporation, etc. (SEMS ACI, Module 13, Instructor Guide.)